



# City of NORFOLK

To the Honorable Council  
City of Norfolk, Virginia

January 14, 2014

From: George M. Homewood, AICP, CFM, Acting  
Planning Director

**Subject:** The closing, vacating and  
discontinuing of 0.61 acre of  
unimproved right-of-way, more or  
less, at the northwest corner of  
Colley Avenue and Brambleton  
Avenue.

Reviewed: Ronald H. Williams, Assistant City Manager

**Ward/Superward:** 2/6

Approved:

Marcus D. Jones, City Manager

**Item Number:**

**PH-2**

- I. **Recommendation:** Approval considering consistency with approved plans.
- II. **Applicant:** Eastern Virginia Medical School by Mark Babashanian
- III. **Description**  
This agenda item is to close 0.61 acre of unimproved right-of-way, more or less, at the northwest corner of Colley Avenue and Brambleton Avenue.
- IV. **Analysis**
  - The right-of-way to be closed is located within the Medical Center which is developed with a variety of institutional and office uses.
  - The right-of-way will be combined with the adjoining property to allow for continued development of the complex in conformance with its approved Master Plan.
  - Easements satisfactory to Virginia Natural Gas, Verizon, and the Norfolk Department of Utilities will be reserved.
- V. **Financial Impact**  
The City of Norfolk has agreed to convey this property, if closed, at no cost.
- VI. **Environmental**  
Closure of this unimproved right-of-way will not create additional traffic in adjacent neighborhoods.

**VII. Board/Commission Action**

By a vote of **6 to 0**, the Planning Commission recommended that the request to close the right-of-way be **approved**.

**VIII. Community Outreach/Notification**

- Legal notice was posted on the property on July 16.
- Letter was mailed to the Ghent Neighborhood League President on July 30.
- Notice was sent to the civic leagues by the Department of Communications on August 6.
- Letters were mailed to all property owners within 300 feet of the property on August 9.
- Legal notification was placed in *The Virginian-Pilot* on August 8 and 15.

**IX. Coordination/Outreach**

This letter has been coordinated with the Department of Planning and Community Development and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Ordinance
- Location Map
- Zoning Map
- Letter to the Civic League

Form and Correctness Approval:

By Nathan Seaman  
Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved:

By HR  
DEPT.**ORDINANCE No.**

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING A PORTION OF COLLEY AVENUE, AND AUTHORIZING THE CONVEYANCE TO THE ABUTTING PROPERTY OWNER OF ANY INTEREST THE CITY MAY HAVE IN THE UNDERLYING FEE OF SAID PORTION OF COLLEY AVENUE.

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WHEREAS, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, the City Council has the authority to close, vacate and discontinue public rights of way; and

WHEREAS, the City of Norfolk ("City") has received an application from Eastern Virginia Medical School ("EVMS"), for the closure of a portion of Colley Avenue lying and being at the northwest corner of Colley Avenue and Brambleton Avenue in the City of Norfolk, as shown on Exhibit A and described in Exhibit B, both of which are attached to and made a part of this ordinance; and

WHEREAS, after a public hearing, the City Planning Commission recommended that the said portion of Colley Avenue be closed, vacated and discontinued; and

WHEREAS, Virginia Natural Gas has facilities located in the right of way and has confirmed that satisfactory arrangements have been made with respect to such facilities; and

WHEREAS, Verizon has facilities located in the right of way and has confirmed that satisfactory arrangements have been made

with respect to such facilities; and

WHEREAS, the City has water and sewer facilities located in the right of way and an easement, satisfactory to the Director of the Department of Utilities, has been provided to the City; and

WHEREAS, EVMS has agreed to pay to the City all costs associated with the publishing of the notice required by Section 15.2-2006 of the Code of Virginia, 1950, as amended; and

WHEREAS, Council has determined that EVMS should not be charged for the closure of the street; and

WHEREAS, the requirements of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Sections 42-212 and 42-213 of the Norfolk City Code, 1979, which relate to the vacation of public rights of way, have been met; and

WHEREAS, it is the judgment of the Council that the said portion of Colley Avenue is not needed for public use and travel and should be closed, vacated and discontinued as a public street of the City of Norfolk; now therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the portion of Colley Avenue, as shown on Exhibit A and described in Exhibit B, attached hereto, is closed, vacated and discontinued as a public street of the City of Norfolk.

Section 2:- That it is the intent of the Council that any interest the City may have in the underlying fee of said portion of Colley Avenue shall transfer to the abutting property owner, EVMS, without charge, and therefore the proper officers of the City are authorized to do all things necessary, including the delivery of a quitclaim deed or deeds, in form satisfactory to the City Attorney, to effect the transfer to EVMS of any interest

the City may have in the underlying fee of the said portion of Colley Avenue, without charge to EVMS for the City's interest in the underlying fee.

Section 3:- That this ordinance shall be in effect from and after thirty (30) days from the date of its adoption.



# EXHIBIT A

TEL: 757-251-1570 FAX: 757-251-1571 2512501-STREET CLOSURE.DWG LAYOUT: MODEL 1/14/2011 10:07AM DWS: 40 R18.0

## GENERAL NOTES:

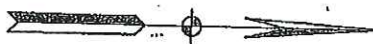
1. THE PURPOSE OF THIS PLAT IS FOR THE CLOSURE OF A PORTION OF COLLEY AVENUE AND IS NOT TO BE CONSIDERED A BOUNDARY SURVEY.
2. THE MERIDIAN SOURCE OF THIS SURVEY IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM OF 1983 / HIGH ACCURACY REFERENCE NETWORK OF 1993 (93 HARN). COORDINATE VALUES SHOWN ARE EXPRESSED IN U.S. SURVEY FEET.

## STATIONS USED:

LR1 N 3,479.978.67  
E 12,124.979.15  
LR2 N 3,479.545.828  
E 12,125.126.362  
GPS066 N 3,480.043.427  
E 12,128.175.819



DENOTES PORTION OF COLLEY AVENUE TO BE CLOSED. AREA=26,448 SQ.FT. OR 0.6072 ACRES



(VIRGINIA STATE PLANE COORDINATE SYSTEM SOUTH ZONE, NAD 83/93 HARN)

## CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
C1	213.78'	178.35'	47°47'58"	94.73'	173.22'	N89°13'50"E
C2	200.00'	137.88'	38°29'59"	71.81'	135.17'	N85°04'51"E
C3	340.00'	73.33'	12°21'29"	36.81'	73.19'	S81°20'54"E
C4	49.30'	55.16'	64°06'30"	30.87'	52.33'	N60°25'06"E
C5	145.00'	85.40'	33°44'45"	43.98'	84.17'	S44°05'07"W
C6	121.21'	114.24'	53°59'57"	61.76'	110.05'	S87°57'28"W

## LINE TABLE

LINE	LENGTH	BEARING
L1	18.57'	S61°24'09"E
L2	31.10'	N23°14'19"E

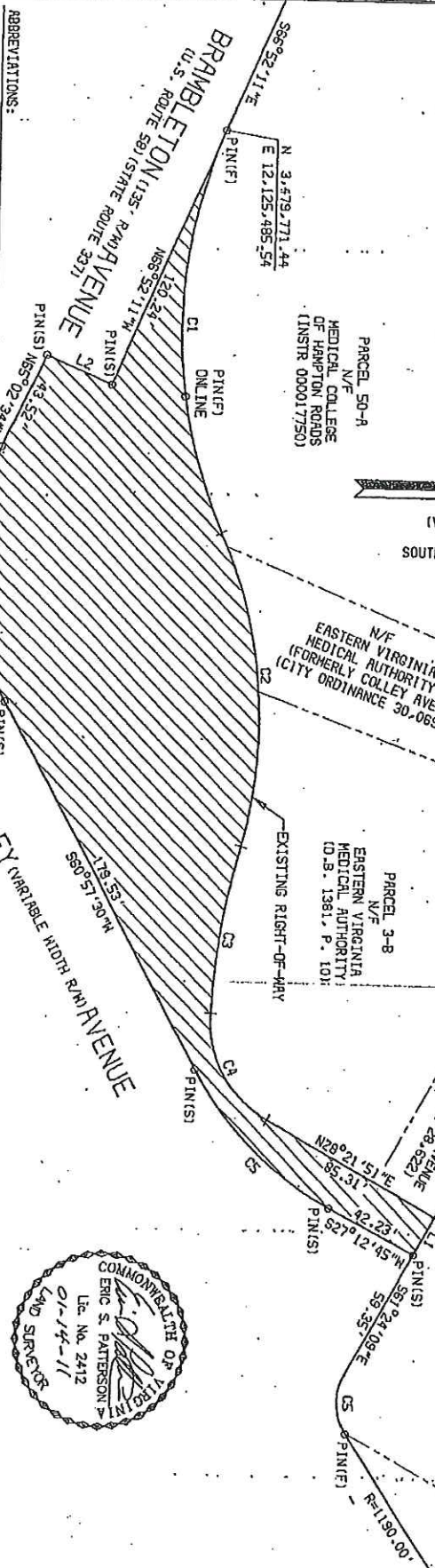


EXHIBIT DEPICTING  
PROPOSED CLOSURE  
OF  
COLLEY AVENUE  
NORFOLK, VIRGINIA  
FOR  
EASTERN VIRGINIA MEDICAL SCHOOL  
SCALE: 1" = 40'  
APRIL 26, 2010



BAIDWIN  
& GREGG  
SURVEYORS  
2305 EAST MAIN STREET, SUITE 200  
NORFOLK, VA 23502-1788  
REVISED: JANUARY 12, 2010  
CHANGED PROPOSED RIGHT-OF-WAY

1" = 40'

GRAPHIC SCALE IN FEET

40' 20' 0' 40' 80'

F.B. 1401, P. 64-65

25125.01

18-T-18570

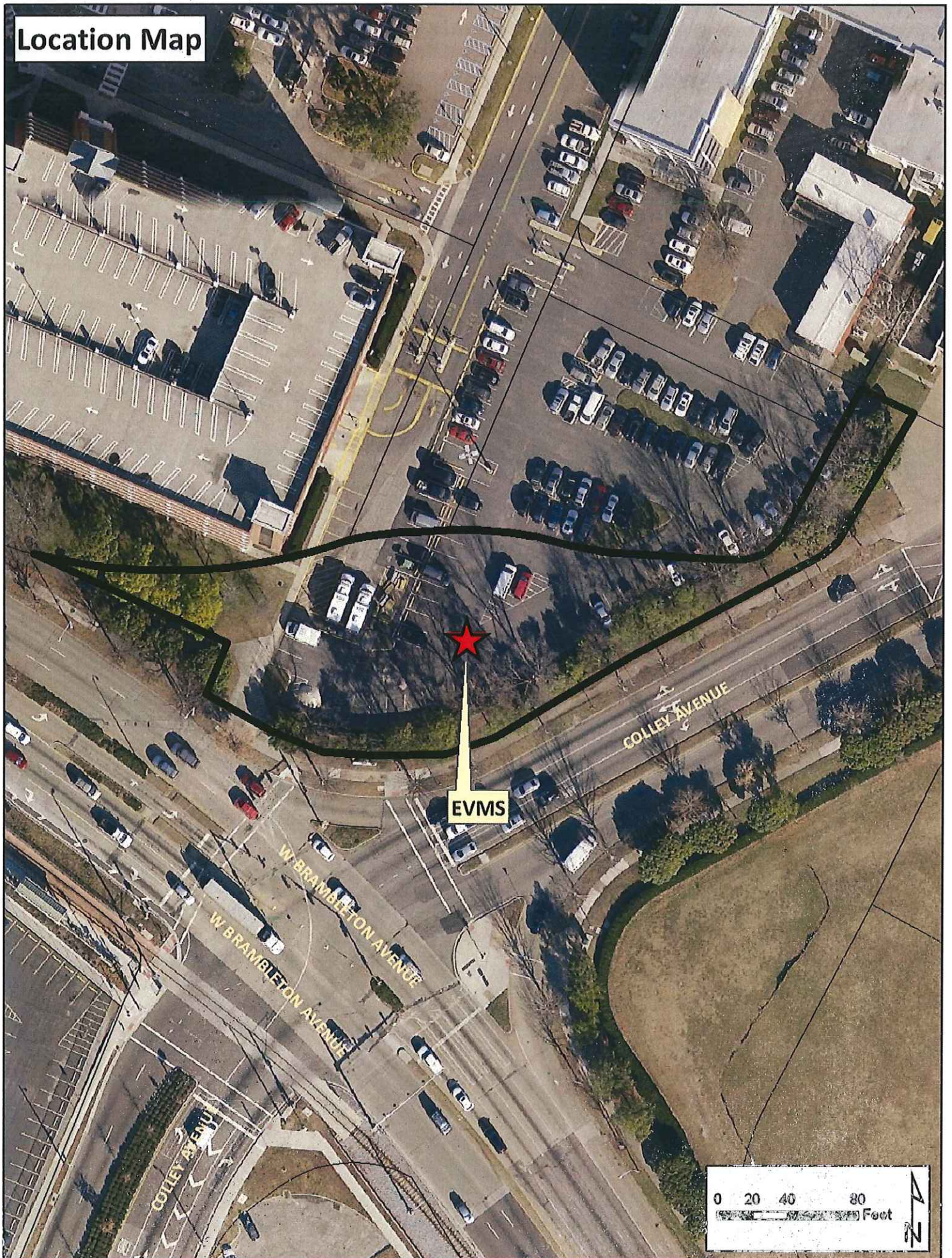
## **EXHIBIT B**

### **Closure of a Portion of Colley Avenue**

An irregular-shaped lot, piece or parcel of land situate, lying and being at the northwest corner of Colley Avenue and Brambleton Avenue in the City of Norfolk, Virginia, said parcel being further described as follows: That parcel labeled, "Denotes Portion of Colley Avenue to Be Closed, Area = 26,448 Sq. Ft. or 0.6072 Acres," said parcel being shown on an exhibit entitled, "Exhibit Depicting Proposed Closure of Colley Avenue, Norfolk, Virginia, for Eastern Virginia Medical School," said exhibit prepared by Baldwin & Gregg of Norfolk, Virginia, on April 26, 2010, with a revision date of January 13, 2011, and said exhibit being on file in the Division of Surveys in the Department of Public Works in the City of Norfolk, Virginia, as LF-282.

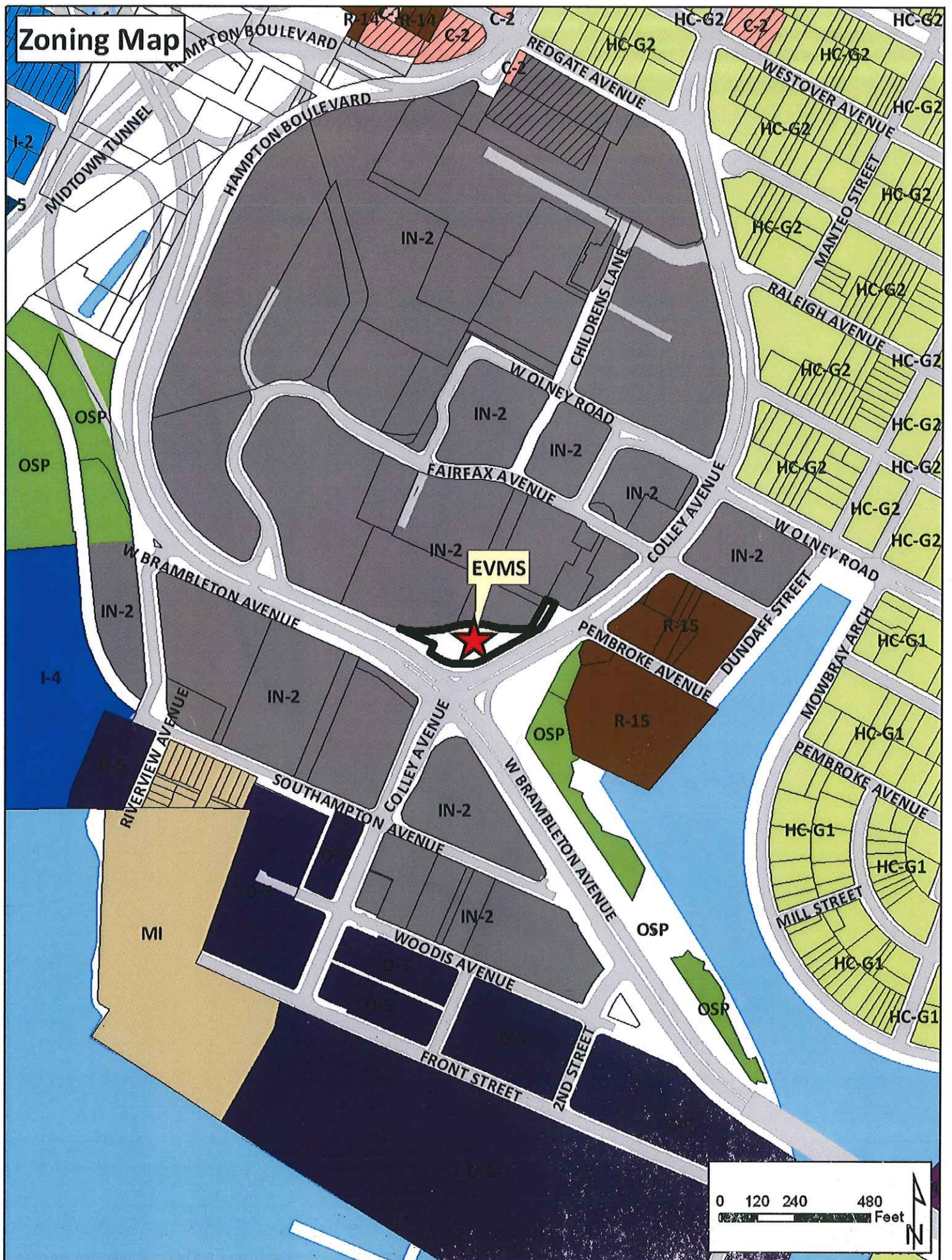


# Location Map





# Zoning Map







# City of NORFOLK

July 30, 2013

Mr. Henry Conde  
President, Ghent Neighborhood League  
PO Box 11431  
Norfolk, VA 23517

Dear Mr. Conde:

The Planning Department has received an application from Eastern Virginia Medical School to close, vacate and discontinue a portion of Colley Avenue. This item is tentatively scheduled for the August 22, 2013 City Planning Commission public hearing.

If you would like additional information on the request, you may contact the applicant's representative at (757)-640-9293, or you may telephone Jeff Raliski in the Planning Department at (757) 664-4766. A copy of the complete application is enclosed.

Sincerely,

George M. Homewood, AICP, CFM  
Assistant Planning Director